

**SUPPLEMENTARY REPORT
AGGRAVATED ASSAULT**

NO. _____

NO. _____

Classification

Name of Complainant

JOSE LUIS RODRIGUEZ

Address

845 S. INDIANA ST., MERCEDES, TEXAS

Phone No.

565-3357

Offense

AGGRAVATED ASSAULT

DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.
(Investigating Officer must sign)Page No. ONEDate 19

ON THE AFTERNOON OF FEBRUARY 26, 1983, SATURDAY AFTERNOON. I DET. ROCHA WAS RIDING AROUND WITH SGT. MORENO. WHEN WE HEARD OVER THE POLICE RADIO THAT THERE WAS A STABBING AT EMILIO'S GROCERY STORE. AT THIS TIME SGT. MORENO AND ME DET. ROCHA WENT TO SAID ADDRESS AND MET WITH OFFICER MEJIA WHO WAS ATTENDING A MALE SUBJECT WHO WAS BLEEDING FROM HIS BACK. AT THIS TIME I WALKED OVER TO THE INJURED SUBJECT AND LOOKED AT HIS WOUND. I DET. ROCHA THEN CALLED FOR AN AMBULANCE. WHILE WAITING FOR THE AMBULANCE TO ARRIVE, I GAVE SUBJECT FIRST AIDE. WHILE I WAS TAKING CARE OF HIS WOUND, I ASKED SUBJECT WHAT HIS NAME WAS. AT WHICH TIME HE STATED THAT HE WAS JOSE LUIS RODRIGUEZ. HE THEN STATED THAT THE RIVERA BROTHERS, WERE THE ONES THAT STABBED HIM. I THEN ASKED HIM WHICH ONES WERE THEY AS THERE ARE FOUR BROTHERS. HE STATED PANCHO AND FREDDY RIVERA. BY THAT TIME 6:30 PM AMBULANCE ARRIVED AT THE SCENE AND TOOK JOSE LUIS RODRIGUEZ TO WESLACO MEMORIAL HOSPITAL. ARRIVAL AT THE HOSPITAL WAS AT 6:45 PM AND MR. RODRIGUEZ WAS TAKEN TO THE EMERGENCY ROOM. DR. KLUNIZLER WAS ON DUTY AT THE HOSPITAL AND CHECKED MR. RODRIGUEZ OVER. X-RAYS WERE TAKEN OF MR. RODRIGUEZ'S BACK OF THE APPROX. 2" LACERATION CAUSED BY THE KNIFE. DR. KLUNIZLER THEN STATED THAT THE INJURY WAS NOT SERIOUS ENOUGH TO KEEP MR. RODRIGUEZ IN THE HOSPITAL AND HE WAS SENT HOME. AT 7:25 P.M., SAME DATE.

WHILE AT THE HOSPITAL MR. RODRIGUEZ MADE A STATEMENT THAT ABOUT A MONTH AGO, HE WAS DRINKIN WITH THE RIVERAS AND FREDDY RIVERA HAD GOTTEN INTO A FIGHT WITH SOMEBODY ELSE. AND THAT HE RODRIGUEZ DID NOT BACK FREDDY RIVERA UP, AND THAT HE THOUGHT THAT THAT WAS THE REASON HE GOT STABBED TONIGHT. ALSO FOR MORE INFORMATION REFER TO THE AFFIDAVIT OF JOSE LUIS RODRIGUEZ.

ALEJANDRO CORTEZ AGUILAR AND RICKY MUNIZ FROM 1034 SO. WASHINGTON ST., MERCEDES TEXAS WERE EYEWITNESSES TO THE STABBING. SEE AFFIDAVIT.

PICTURES OF THE WOUNDS WERE TAKEN AT THE SCENE BY OFFICER TURLEY.

DET. WILLIE ROCHA

2-26-83

25 INVESTIGATING OFFICER(S) _____

26 REPORT MADE BY _____

DATE _____

27 CASE FILED

28 THIS CASE IS

Active 29 APPROVED BYYes No Cleared by arrest Unfounded Inactive Other

**SUPPLEMENTARY REPORT
AGGRAVATED ASSAULT**

83-02-095

NO. _____

Classification _____

NO. _____

Name of Complainant

Address

Phone No.

JOSE LUIS RODRIGUEZ 845 S. INDIANA ST., MERCEDES, TEXAS

565-3357

Offense

DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.
(Investigating Officer must sign)

Page No. TWODate 15

ON THE AFTERNOON OF MARCH 5, 1983 AT APPROX. 4:35 PM, I DET. ROCHA WENT WITH DET. CHACON TO THE MERCEDES FLEA MARKET TO ASSIST HIM ON THE ARREST OF A MALE SUBJECT BY THE NAME OF FREDDY RIVERA KNOWN TO THIS OFFICER. MR. RIVERA WAS ARRESTED BY DET. CHACON AND AS I DET. ROCHA WALKED MR. RIVERA BACK TO OUR UNIT, I ADVISED MR. RIVERA OF HIS RIGHTS, AT WHICH TIME HE STATED THAT HE UNDERSTOOD HIS RIGHTS. I WAS THAN TOLD BY MR. RIVERA, "YES I AM GUILTY, I DID HIT HIM (JOSE LUIS RODRIGUEZ) WITH THE PIPE. I AM GUILTY OF WHAT YOU ARE ACCUSING ME." SUBJECT WAS THEN TRANSPORTED TO THE POLICE DEPT. WHERE HE WAS BOOKED FOR THE OFFENSE HE WAS CHARGE WITH.

25 INVESTIGATING OFFICER(S) _____

26 REPORT MADE BY _____

DET. WILLIE ROCHA.

3-5-

DATE _____

27 CASE FILED /

28 THIS CASE IS

Active 29 APPROVED BYYes No Cleared by arrest Unfounded Inactive Other

THE STATE OF TEXAS
VS.
ALFREDO HINOJOSA AKA FREDDY RIVERA

IN THE 139TH DISTRICT
COURT OF
HIDALGO COUNTY, TEXAS

NO. CR-543-83-C

JUDGMENT REVOKING PROBATION

Judge Presiding: RAUL L. LONGORIA

Date of Judgment: APRIL 21, 1987

Attorney(s): RENE GUERRA, DIST. ATTY. and
for State : OMAR J. GARZA

Attorney(s) :
for Defendant: JOSE ANTONIO GOMEZ

Offense : AGGRAVATED ASSAULT WITH A DEADLY WEAPON

Convicted of: AGGRAVATED ASSAULT WITH A DEADLY WEAPON

Degree : THIRD

Date Offense Committed: 2/26/83

Date of Probation Order: AUGUST 29, 1983

Paragraph Violated and Grounds for Revocation:

1. That the Defendant herein, on or about March 2, 1984, in Hidalgo County, Texas, did then and there use a deadly weapon, to-wit: a knife, that in the manner of its use and intended use was capable of causing death and serious bodily injury and did then and there intentionally and knowingly cause bodily injury to RODOLFO CONTRERAS by stabbing him with said knife, in violation of condition (a) of his probationary order.
2. That the Defendant herein, on or about August 11, 1986, in Hidalgo County, Texas, did then and there intentionally prevent and obstruct LUIS CHACON, a person he knew to be a peace officer, from effecting the arrest of the said ALFREDO HINOJOSA, by using and exhibiting a deadly weapon, to-wit: a knife that in the manner of its use and intended use was capable of causing death and serious bodily injury, in violation of condition (a) of his probationary order.
3. That the Defendant herein, on or about August 11, 1986, in Hidalgo County, Texas, did then and there intentionally and knowingly threaten LUIS CHACON, a peace officer, to-wit: a city of Mercedes peace officer, with imminent bodily injury by the use of a deadly weapon, to-wit: a knife, that in the manner of its use and intended use was capable of causing death and serious bodily injury while LUIS CHACON was lawfully discharging an official duty, to-wit: arresting the said ALFREDO HINOJOSA and the said ALFREDO HINOJOSA knew that LUIS CHACON was a peace officer, in violation of condition (a) of his probationary order.
4. That the Defendant herein, on or about August 11, 1986, in Hidalgo County, Texas, did then and there intentionally, knowingly and unlawfully damage and destroy tangible property, to-wit: one (1) automobile door located at 1200 Block of South Georgia Street, Mercedes, Texas by kicking said automobile door with his foot without the effective consent of JOHN PAPE, the owner, and did thereby cause pecuniary loss in the amount of more than \$20.00 but less than \$200.00 to the said JOHN PAPE, in violation of condition (a) of his probationary order.
5. That the Defendant herein, on or about November 9, 1986, in Hidalgo County, Texas did then and there, while intoxicated, drive and operate a motor vehicle in a public place, to-wit: a public street and highway, in violation of condition (a) of his probationary order.

6. That the Defendant herein, on or about November 9, 1986, in Hidalgo County, Texas, did then and there intentionally and knowingly cause the death of an individual, by stabbing the said JOSE DAVID SOTO BELLOSO, with a deadly weapon, to-wit: a knife, that in the manner of its use and intended use was capable of causing death and serious bodily injury, in violation of condition (a) of his probationary order.

7. That the Defendant herein, was ordered to report to the Probation Officer each month during the Probationary period as directed; to-wit: the week of the third Monday of each month, commencing in September, 1983 and he has failed to do so for the months of May, June, July, August, 1984; June, 1985; and February, 1986, in violation of condition (d) of his probationary order.

8. That the Defendant herein, was ordered to pay a fine in the amount of \$500.00, payable at the rate of \$20.00 per month, commencing on the 15th day of October, 1983, and a like payment to be paid on the 15th day of each succeeding month thereafter until paid in full, said payments to be made through the District Clerk's Office, Hidalgo County Courthouse, Edinburg, Texas and he has failed to do so for the months of August, September, October, November and December, 1984; January, February, March, April, May, June, July, August, September and October, 1985, and is in arrears in the total amount of \$300.00, in violation of condition (h-1) of his probationary order.

9. That the Defendant herein, was ordered to pay the sum of \$15.00 per month to the Adult Probation Office commencing on the 15th day of October, 1983, and a like amount on the 15th of each succeeding month thereafter during that period of probation, to be used by this Court in administering the probation laws as authorized by the Adult Probation and Parole Law and he has failed to do so for the months of July, September, October and December 1985; January, February, March, May, July, August, September and November, 1986 and is in arrears in the total amount of \$180.00, in violation of condition (j) of his probationary order.

As set out in State's Application to Revoke Probated Sentence.

Original Punishment Assessed: FIVE YEARS TDC/PROBATED FIVE YEARS + \$500.00 FINE

Findings on Use of
Deadly Weapon:

Punishment Imposed and
Place of Confinement: FIVE (5) YEARS TDC

Date of Sentence: APRIL 21, 1987 Costs: \$500.00 FINE

Time Credited: 96 Days Total Amount of Restitution/
Reparation: N/A

Concurrent Unless Otherwise Specified: CR-105-87-C

The Defendant having been granted probation on AUGUST 29, 1983, in the above entitled and numbered cause for the felony offense of AGGRAVATED ASSAULT WITH A DEADLY WEAPON, and this cause being this day called for hearing on the State's Application to Revoke Probated Sentence, the State appeared by Criminal District Attorney, RENE GUERRA, and Assistant Criminal District Attorney, HON. OMAR J. GARZA, and the Defendant, ALFREDO HINOJOSA AKA FREDDY RIVERA, appeared in person and by

Counsel, HON. JOSE ANTONIO GOMEZ, and both parties announced ready for trial. The Defendant was advised of the allegations in the Application. The Defendant in person, in writing, and in open court, pled TRUE to allegations FOUR, SIX, SEVEN, EIGHT and NINE. The State, with consent of the Court waived and abandoned allegations ONE, TWO, THREE and FIVE of the State's Application to Revoke Probated Sentence. Thereupon the Defendant was admonished by the Court of the consequences of said plea, and that no punishment recommendation by the prosecuting attorney is binding on the Court. The Defendant persisted in entering the plea and it appearing to the Court that the Defendant was mentally competent and that the plea was free and voluntary, accepted the plea. The Defendant, having in open court and in writing, waived the appearance, confrontation, and cross-examination of witnesses, consented to the stipulation of evidence and to the introduction of testimony by affidavits, written statements of witnesses, and other documentary evidence; such waiver and consent, having been approved by the Court in writing, were filed in the papers of the cause. The plea of the Defendant was received and entered of record upon the minutes. The Court, having heard the the Defendant's plea thereto, the evidence submitted, and the argument of counsel thereon, found that the Defendant had violated the terms and conditions of probation, to-wit:

That the Defendant herein, on August 11, 1986, in Hidalgo County, Texas, did then and there intentionally, knowingly and unlawfully damage and destroy tangible property, to-wit: one (1) automobile door located at 1200 Block of South Georgia Street, Mercedes, Texas by kicking said automobile door with his foot without the effective consent of JOHN PAPE, the owner, and did thereby cause pecuniary loss in the amount of more than \$20.00 but less than \$200.00 to the said JOHN PAPE, in violation of condition (a) of his probationary order.

That the Defendant herein, on November 9, 1986, in Hidalgo County, Texas, did then and there intentionally and knowingly cause the death of an individual JOSE DAVID SOTO BELLOSO, by stabbing the said individual with a knife, in violation of condition (a) of his probationary order.

That the Defendant herein, was ordered to report to the Probation Officer each month during the Probationary period as directed; to-wit: the week of the third Monday of each month, commencing in September, 1983 and he has failed to do so for the months of May, June, July, August, 1984; June, 1985; and February, 1986, in violation of condition (d) of his probationary order.

That the Defendant herein, was ordered to pay a fine in the amount of \$500.00, payable at the rate of \$20.00 per month, commencing on the 15th day of October, 1983, and a like payment to be paid on the 15th day of each succeeding month thereafter until paid in full, said payments to be made through the District Clerk's Office, Hidalgo County Courthouse, Edinburg, Texas and he has failed to do so for the months of August, September, October, November and December, 1984; January, February, March, April, May, June, July, August, September and October, 1985, and is in arrears in the total amount of \$300.00, in violation of condition (h-1) of his probationary order.

That the Defendant herein, was ordered to pay the sum of \$15.00 per month to the Adult Probation Office commencing on the 15th day of October, 1983, and a like amount on the 15th of each succeeding month thereafter during that period of probation, to be used by this Court in administering the probation laws as authorized by the Adult Probation and Parole Law and he has failed to do so for the months of July, September, October and December 1985; January, February, March, May, July, August, September and November, 1986 and is in arrears in the total amount of

\$180.00, in violation of condition (j) of his probationary order.

The Court finds that the amount of fine due and owing on the date of the revocation is \$300.00.

The Court finds that the amount of supervisory fees due and owing to the Adult Probation Department on the date of the revocation is \$240.00.

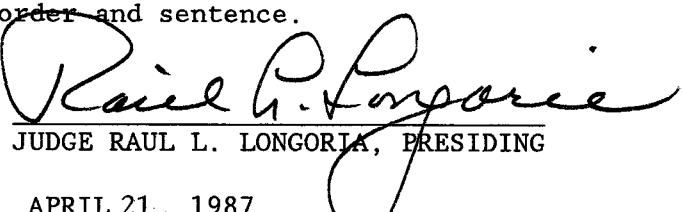
The Court then proceeded to pronounce the sentence of law according to the judgment rendered and the Defendant was asked by the Court whether the Defendant had anything to say why sentence should not be pronounced, and the Defendant answered nothing in bar thereof. Thereupon, the Court proceeded, in the presence of said Defendant, to pronounce the sentence as follows, to-wit: It is the Order of the Court that the probation heretofore granted in this cause is hereby REVOKED.

It is the further order of the Court that the Defendant, who has been adjudged to be guilty of the felony offense of AGGRAVATED ASSAULT WITH A DEADLY WEAPON, as stated herein, and whose punishment has been adjudged at confinement in the Texas Department of Corrections for a term of FIVE (5) years, be delivered by the Sheriff of Hidalgo County, Texas, to the Director of the Texas Department of Corrections or other person legally authorized to receive such convicts, and the said Defendant shall be confined in the Texas Department of Corrections for a term of not less than TWO (2) years nor more than FIVE (5) years in accordance with the provisions of the law governing the Texas Department of Corrections by virtue of this order of the Court.

The sentence assessed against Defendant in this cause is to run concurrent with the sentence assessed against Defendant in Cause Number CR-105-87-C styled the State of Texas vs. Alfredo Hinojosa, on the docket of the 139th District Court of Hidalgo County, Texas for the offense of Murder.

The Defendant is given jail credit for 96 days and is remanded to jail until the Sheriff can obey the directions of this order and sentence.

Notice of Appeal: _____


JUDGE RAUL L. LONGORIA, PRESIDING

APRIL 21, 1987
DATE SIGNED

DATE 2-14-08
A true copy I certify
LAURA HINOJOSA
District Clerk, Hidalgo County, Texas
By Deputy

C16 595

OFFENSE REPORT

NO. _____

MURDER

NO. 86-11-038

Classification

1 COMPLAINANT'S NAME (Firm name if business) State of Texas		2 AGE	DESCENT	SEX	DOB	3 PHONE (Business) 565-3102	
4 COMPLAINANT'S ADDRESS c/o 323 S. Ohio St.		5 CITY Mercedes, Texas			6 PHONE (Residence)		
7 COMPLAINANT'S BUSINESS, EMPLOYMENT OR SCHOOL 217 N. Illinois		8 OBJECT OF ATTACK (Burglary, theft, assault, etc.) Murder sec. 19.02.					
9 PLACE WHERE OFFENSE OCCURRED 217 N. Illinois		10 TYPE OF BUILDING (Residence, store, bank, etc.) Lounge					
11 REPORTED BY Sgt. Vasquez	PHONE 565-3102	12 REPORTED TO Sgt. Vasquez					
13 DAY, DATE AND TIME OF OFFENSE Sunday 11-09-86 12:26 AM		14 DAY, DATE AND TIME OF REPORT Sunday 11-09-86 12:26 AM					
15 BODILY INJURIES TO Jose Beloso		HOSPITAL? no	16 HOW REPORTED (In person, phone, on view, other)				

17 M/O (How done - force used - at what point - with what tool or weapon - other acts or trade marks)

Stabbed with a butterfly knife on left side of the chest.

17A EXACT WORDS USED BY OFFENDER

18 VEHICLE INVOLVED IN OFFENSE (Year - color - make - model - auto license no. - year - state)

Complainant's Suspect's 19 DIRECTION OF FLIGHT N E S W AUTO FOOT
STREET OR ROAD UNK. OTHER 20 WILL COMPLAINANT PROSECUTE?

YES

21 NAME AND ADDRESS OF SUSPECT(S) - OR AGE DESCENT SEX DESCRIPTION

22 CIRCLE IF SUSPECT IS

Employee - Relative - Acquaintance

1

2

23 WITNESSES NAME BEST CONTACT ADDRESS AGE BEST PHONE OTHER PHONE PARENT OR GUARDIAN?

1

2

24 NARRATIVE (Write in any available details not covered above)

On November 9, 1986 at about 12:26 AM, Officer Gutierrez, R. Valdez and I responded to a stabbing at Jovita's Place located at 217 North Illinois Ave.

25 INVESTIGATING OFFICER(S) _____

26 REPORT MADE BY

Sgt. Vasquez

DATE 11-09-86

27 CASE FILED

11-09-86 THIS CASE IS

29 APPROVED BY

Yes No Cleared by arrest Unfounded Inactive Other

86-11-567

SUPPLEMENTARY REPORT

NO. _____

Murder

NO. 86-11-038

Classification

Name of Complainant

State of Texas

Address

c/o Mercedes Police Dept.

Phone No.

Offense

565-3102

DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.:
 (Investigating Officer must sign)

Page No. _____

Date November 9, 1986

On November 9, 1986 at about 12:26 AM while I, Sgt. Vasquez, was responding to a stabbing call at Jovita's Place located on the 200 Blk. of North Illinois Ave, I observed a green colored pickup pulling out of the parking lot. As I observed the green colored pickup travel north bound, I saw that it was on the wrong side of the street. As said vehicle approached the intersection of Illinois Ave. and Hidalgo St., I noticed a white colored vehicle, which was turning south onto Illinois Ave., move out of the way to keep from being hit by said pickup. Upon observing this fact, I decided to follow said pickup. I then informed our dispatcher by unit radio that I would be following a green pickup which had pulled out from Jovita's Place. As said vehicle approached Cameron St., I noticed that said vehicle was going from side to side. I then activated my unit's emergency overhead lights to alert the driver to stop. As we approached Starr Street (still traveling on N. Illinois Ave.), vehicle made a left hand turn onto Starr Street. I then noticed Officer Gutierrez' unit, which had his unit's emergency overhead lights also activated, coming towards us. He then parked in at an angle to block said vehicle. I then advised our dispatcher of the license plates said vehicle was displaying, 9384-EF, and brought my unit to a stop and exited my unit. As I noticed that subject was not going to stop, I ran up towards the driver's side, unholstered my weapon, pointed it towards the driver and ordered him to stop the vehicle. As he came to a complete stop in the middle of the street, I ordered him to exit the vehicle. He looked at me and stated in Spanish, "No puedo." As he stated this, I noticed that the driver's side door had a wire wrapped around it to keep it closed. I yanked on the door and opened it keeping my weapon pointed at the driver. I again informed him to step out in Spanish, "salte ven despasito." As he stepped out of the truck, I patted him down for any weapons using my left hand. I noticed Officer Gutierrez next to me so I reholstered my weapon and did a complete pat down on the subject. I informed driver, whom I recognized as Pete Hinojosa, that I had stopped him because he was driving from side to side. He replied, "Ya voy pa la

25 INVESTIGATING OFFICER(S) _____

26 REPORT MADE BY

Sgt. Jesus Vasquez

DATE 11-09-86

27 CASE FILED

Yes No

28 THIS CASE IS

Active

29 APPROVED BY

Cleared by arrest Unfounded Inactive Other _____

Mercedes Police Department

Case 3:06-cv-02248-O Document 26-6 Filed 05/05/08 Page 9 of 21 PageID 537

SUPPLEMENTARY REPORT

NO. _____

Murder

NO. 86-11-038

Classification

Name of Complainant

Address

Phone No.

State of Texas

c/o Mercedes Police Dept.

565-3102

Offense

DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.:

(Investigating Officer must sign)

2

Page No. _____

Date November 9, 1986

casa" in a slurred type of voice with a strong odor of alcohol coming from his breath. I then informed Mr. Hinojosa that he was under arrest for Driving While Intoxicated. Once I had Mr. Hinojosa handcuffed, I ordered Officer Gutierrez to go and protect the scene at Jovita's Place. I then escorted Mr. Hinojosa towards my unit and placed him inside. Noticing that Mr. Hinojosa's truck was in the middle of the street, I decided to move it to the drive thru outlet of the Hidalgo Bank. I then responded to Jovita's Place to back up Officer Gutierrez in the stabbing call. Upon arrival, I made contact with Officer Gutierrez who informed me that we did have a male subject who had been stabbed. I immediately got my first aid kit from the trunk of my unit walked inside and attempted to give first aid to the subject. I noticed Officer R. Valdez arrive so I ordered him to keep an eye on the male subject I had arrested since he was in my patrol unit. I also ordered Officer Gutierrez to start identifying everyone in the bar. I also informed our dispatcher that we needed an investigator as soon as possible at our location. Being unable to get a pulse on the male subject, I discontinued my first aid procedures. I then instructed Officer R. Valdez not to let anyone in or out said place to standby until we got an investigator at the scene while I took the male subject to police department. I then transported Mr. Hinojosa to police department where I placed him in our cell and informed our dispatcher to renotify our Chief and tell him that I strongly believed that the male subject was going to die. I then responded back to where I had left the truck and started to inventory it. I informed Officer R. Valdez and R. Gutierrez that Inspector Vargas was enroute to their location. Upon inventorying Mr. Hinojosa's vehicle, I found a gold colored knife under the seat which had blood stains on it. I informed officers that a weapon had been found and might be the weapon used. I then requested for a camera to take pictures of the truck and the weapon. Chief Pape came over and photographed the truck and weapon. Vehicle was picked up by Juan's Wrecker Service and brought to the police department for processing. Inspector Vargas later removed

25 INVESTIGATING OFFICER(S) _____

26 REPORT MADE BY _____

Sgt. Jesus Vasquez

DATE 11-09-86

27 CASE FILED

28 THIS CASE IS

Active

29 APPROVED BY

Yes No Cleared by arrest Unfounded Inactive Other

Mercedes Police Department**SUPPLEMENTARY REPORT**

NO. _____

Murder _____

NO. 86-11-038

Classification _____

Name of Complainant

State of Texas

Address

c/o Mercedes Police Dept.

Phone No.

565-3102

Offense

DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.
(Investigating Officer must sign)

Page No. 3

Date November 9, 19 86

the weapon. Due to his call and other calls we handled during our shift, which was very busy. I was not able to give Mr. Hinojosa an intoxilyzer test for the alcohol on his breath. Later, Pete Hinojosa was identified as Alfredo Rivera Hinojosa alias Freddy Rivera.

NOTE: After being informed of his rights, Mr. Hinojosa admitted to Inspector Vargas and me of the stabbing. (We are witnesses of his admission).

25 INVESTIGATING OFFICER(S) _____

26 REPORT MADE BY

Sgt. Jesus Vasquez

DATE 11-09-86

27 CASE FILED

28 THIS CASE IS

Active

29 APPROVED BY

Yes No Cleared by arrest Unfounded Inactive Other

Mercedes Police Department**SUPPLEMENTARY REPORT**

NO. _____

Murder

NO. 86-11-038

Classification

Name of Complainant

State of Texas

Address

Phone No.

c/o Mercedes Police Dept.

565-3102

Offense

DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.:

(Investigating Officer must sign)

Page No. _____

Date November 9, 1986

On November 9, 1986 at approximately 12:27 AM, I arrived at the scene of a stabbing which occurred at the Jovita's Place Lounge located on 217 N. Illinois, Mercedes, Texas. Upon my arrival, I made contact with Sgt. Vasquez who advised me to guard his unit due to he had an individual whom he had arrested. I stood in the doorway of Jovita's Place to control entry of outside people and to deny exit of anyone from within the place. Sgt. Vasquez then asked me to stay in the building while he went to the police department and processed the arrested person in order to incarcerate him. At this time, Officer Robert Gutierrez was also in the lounge identifying everyone who was in the premises during the incident.

At approximately 12:35 AM, emergency medical service ambulance arrived at the scene. Two of the three emergency medical attendants conducted their skills and after a few minutes requested that I request for a Justice of the Peace. I relayed this information by radio to dispatch operator Linda Alaniz and she informed me that Judge Gutierrez would be on his way.

During this time, I viewed that the individual that was stabbed was lying flat on his back between a pool table and the west side wall of the building. Photographs were taken of the body by Det. Vargas upon his arrival.

At approximately 1:03 AM, I was asked by Det. Vargas to go outside the building and to attempt to find any evidence which may be of help to this case. At approximately 1:06 AM Judge Gutierrez arrived at the scene and made contact with Det. Narciso Vargas. At approximately 1:21 AM, I left the area and left the investigation up to the investigators.

25 INVESTIGATING OFFICER(S) _____

26 REPORT MADE BY Ricardo Valdez Sr. DATE 11-09-86

27 CASE FILED

Yes No

28 THIS CASE IS

Active

29 APPROVED BY

Cleared by arrest Unfounded Inactive Other

Merceaes Police Department**SUPPLEMENTARY REPORT**

NO. _____

Murder

NO. 86-11-038

Classification

Name of Complainant

Address

Phone No.

State of Texas

c/o Mercedes Police Dept.

565-3102

Offense

DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.:

(Investigating Officer must sign)

Page No. _____

Date November 9, 1986

On 11-09-86 at about 12:24 AM, reporting officer was patrolling the area of Webb and Texas St. At this time, Officers Sgt. Vasquez, Ptlm. R. Valdez, and myself were dispatched to Jovita's Lounge located at the 200 Blk. of North Illinois via radio in reference to a stabbing. I responded by traveling south on Texas Ave. and turning east on Starr St. When I got to the Starr and Ohio intersection, I activated my unit's overhead emergency lights and heard Sgt. Vasquez transmit in the unit radio that he was after a green pickup truck which had pulled out of Jovita's lounge and was traveling north on Illinois St. I saw his unit after the said truck as they were about to turn west on Starr St. and decided to block the truck's path of travel with my unit. Sgt. Vasquez then called in the truck's license plates and I, in turn, drove my unit towards the truck and forced it to stop between Illinois and Ohio St. where the Hidalgo Bank outlets are located. I noticed that the truck was not going to stop so, I exited my unit, unholstered my weapon and pointed it at the operator of the truck due to the fact that I feared for my safety and to attempt to stop the truck. At that point, the operator of the truck stopped and began to exit his truck.

Once the subject was out of the truck, Sgt. Vasquez was already out of his unit and approaching the operator with his weapon unholstered. He told the operator, "no te muevas." When Sgt. Vasquez had the situation under control, he told me to go the lounge and secure the scene. I drove the lounge, exited my unit and went inside the lounge where I noticed a male subject lying on the floor. The subject was face up next to a pool table to the west side of the building about 3 to 4 feet away from the main door. There was blood on the floor next to him and a large part of his shirt was stained with his blood. The subject appeared to be grasping for air, and I noticed one puncture wound on his upper chest area which was still bleeding. I walked over to the subject, checked for vital signs and noticed that his pulse was very weak. I was then informed by the dispatcher that an ambulance was already enroute. I asked the dispatcher for an estimated time of arrival but she could not give me

25 INVESTIGATING OFFICER(S) _____

26 REPORT MADE BY _____

Robert Gutierrez Jr.

DATE 11-09-86

27 CASE FILED

28 THIS CASE IS

Active

29 APPROVED BY

Yes No Cleared by arrest Unfounded Inactive Other

Mercedes Police Department**SUPPLEMENTARY REPORT**

NO. _____

Murder

NO. 86-11-038

Classification

Name of Complainant

Address

Phone No.

State of Texas

c/o Mercedes Police Dept.

565-3102

Offense

DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.:
 (Investigating Officer must sign)

Page No. 2Date November 9, 1986

one. At about that time, Sgt. Vasquez arrived at the scene and was attempting to give first aid to the subject on the floor. He then ordered me to identify the people who were at the bar and to take down their personal information. While I was doing that, I noticed that Officer Valdez had arrived at the scene and assisted Sgt. Vasquez with the first aid.

The people at the bar were identified as Amado Mauricio Trevino of 733 South Ohio - DOB 9-13-38; Guadalupe Garces of 134 N. Matamoros-DOB 4-26-44; Robert Yriarte of Taylor Apt. #123 - DOB 8-24-51; Irma Espinoza of 321 N. Missouri - DOB 10-24-60; Estella Delgado of 338 N. Texas - DOB 11-13-61; Maria Delgado 338 North Texas - DOB 5-11-51 and La Bruna, all were from Mercedes. Once I had identified the people there, Sgt. Vasquez transported the male subject whom we had stopped earlier to the police department and left Officer Valdez and me at the scene and in charge of it. After a minute or two, the ambulance arrived at the location and three emergency care attendants checked the male subject on the floor for vital signs.

After that, Chief Pape and Inspector Vargas arrived at the scene and were informed of the traffic. I walked over to where the subject was and one of the E.C.A. showed me one puncture wound on the chest area adjacent to the one I had seen already on the shirt. A Justice of the Peace was called in due to the fact that the subject had already died. Inspector Vargas told me to transport the people at the bar to the police department for interviews. I, in turn, informed the people of the traffic and transported them to the police department where the interviews were taken over by Inspector Vargas and continued the investigation. No further action was taken by this officer.

25 INVESTIGATING OFFICER(S) _____

26 REPORT MADE BY _____

Robert Gutierrez Jr.

DATE 11-09-86

27 CASE FILED

28 THIS CASE IS

Active

29 APPROVED BY

Yes No Cleared by arrest Unfounded Inactive Other

Mercedes Police Department**SUPPLEMENTARY REPORT**

NO. _____

Murder

NO. 86-11-038

Classification

Name of Complainant

Address

Phone No.

State of Texas

c/o Mercedes Police Dept.

565-3102

Offense

DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.:
(Investigating Officer must sign)

Page No. _____

Date November 9, 1986

On Sunday, November 9, 1986 at about 12:35 AM, I was called in to the police department. At the police department Dispatcher Linda Alaniz advised me that there had been a stabbing at Jovita's Place and that we had a man dead at the scene. I proceeded to Jovita's Place located at 217 N. Illinois St. in Mercedes. Upon arrival, I made contact with Officer R. Valdez, Officer R. Gutierrez and Sgt. J. Vasquez. They informed me that one man was dead and the suspect in custody. The scene had been secured and witnesses were kept inside Jovita's. As I entered, I saw the victim lying on the floor face up next to the pool table. I checked the victim and observed that he had a stab wound to the left side of his chest. I asked who the victim was and a witness by the name of Irma Castillo Espinoza said that she knew him as Jose Garcia. I then proceeded to photograph the scene. While doing so, Irma Espinoza told me that Freddy Rivera had been the one that had stabbed him and that she had witnessed everything. I then told the officer to transport all the witnesses to the police department so that I could talk to them later. I checked the victim for identification. I found a wallet on his right back pant pocket. I looked in the wallet and found receipts of Jose David Soto Belloso. At this time, Judge Apolonio Gutierrez arrived, pronounced Mr. Belloso dead and ordered an autopsy. The Guerra Funeral Home of Pharr was called to pickup the deceased Chief Pape and I made a rough sketch of the body. The Guerra Funeral Home arrived and transported the body to Ceballos Funeral Home. I then locked up the bar and secured it. I had taken the keys from the barmaid, Maria Delgado. I went back to the police department and contacted the owner of the Jovita's. I told her that I did not want anybody going into the place of business until I finished with my investigation. I went to the suspect's pickup and found a knife under the seat. I photographed it and picked it up as evidence. The knife was a butterfly knife with silver handles. The knife had red stains which appeared to be blood. After I picked up the evidence, I proceeded to talk to the witnesses.

I then made contact with Amado Mauricio Trevino who resides at 733 S. Ohio St. in

25 INVESTIGATING OFFICER(S) _____

26 REPORT MADE BY _____

Inspector N. Vargas

DATE 11-09-86

27 CASE FILED

28 THIS CASE IS

Active

29 APPROVED BY

Yes No Cleared by arrest Unfounded Inactive Other

Mercedes Police Department**SUPPLEMENTARY REPORT**

NO. _____

Murder

NO. 86-11-038

Classification

Name of Complainant

Address

Phone No.

State of Texas

c/o Mercedes Police Department

565-3102

Offense

DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.
(Investigating Officer must sign)Page No. 2Date November 9, 1986

Mercedes, Texas. Mr. Trevino stated that he had not seen the stabbing but that he had gotten a hold of the suspect. He had tried to stop the fight. Mr. Trevino stated that he had fallen to the floor because the victim had pushed the suspect with a chair while he was holding on to him. When he got up, the suspect was gone and the victim was on the floor next to the pool table. Mr. Trevino stated that he then saw that the victim had blood on his body. I asked Mr. Trevino if he knew the victim and suspect. He said that he did not know the victim but that he did know that the suspect was from Mercedes. I then took an affidavit from Mr. Trevino.

I then made contact with Irma Espinoza. She told me that Freddy Rivera had stabbed Joe Garcia. I asked her if she knew why and she told me that they had gotten into an argument at the 101 Club over a pool table. Irma said that Joe and herself had left the 101 Club and had gone to Jovita's. They had ordered a beer and Joe went back to the door to see if a friend of his was coming to join them. Irma stated that when she turned to see Joe, Freddy Rivera was also at the door and they started to argue again. At that time, Joe pushed Freddy with a chair. Freddy then pulled out a knife, raised his right hand and then stabbed Joe on the chest. Joe then picked up a chair but Irma took it away. Irma said that after she took the chair away, Joe just fell to the floor next to the pool table. I then took Irma Castillo's affidavit.

At about 3:50 AM, I made contact with Rosario Sandoval (La Bruna). She stated that she had seen the stabbing but had seen when Irma took the chair away from the victim. When she got close, she saw the victim on the floor.

I then spoke with the rest of the witnesses but all claimed that they had not seen the stabbing nor knew the victim nor the suspect. I did take their information in case I needed to talk to them.

At about 4:45 AM, I went to the cells and took the suspect, Alfredo Rivera Hinojosa (alias

25 INVESTIGATING OFFICER(S) _____

26 REPORT MADE BY Inspector N. Vargas DATE 11-09-86

27 CASE FILED

28 THIS CASE IS

Active

29 APPROVED BY

Yes No Cleared by arrest Unfounded Inactive Other

Mercedes Police Department**SUPPLEMENTARY REPORT**

NO. _____

Murder

NO. 86-11-038

Classification

Name of Complainant

State of Texas

Address

c/o Mercedes Police Dept.

Phone No.

565-3102

Offense

DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.:
(Investigating Officer must sign)Page No. 3Date November 9, 1986

Freddy Rivera), to my office. At my office, I advised Alfredo Hinojosa of his Miranda Warnings. Mr. Hinojosa stated that he understood them and signed the Miranda Form. I told Mr. Hinojosa that he was being questioned on the Murder of Jose David Bellosio. I told Mr. Hinojosa that the man that he had stabbed had died. I then asked him why he had stabbed Mr. Bellosio. Mr. Hinojosa did not answer. I then told Mr. Hinojosa that I had recovered the knife and that there were witnesses that had seen him stab the victim. I asked him to tell me what had happened. Mr. Hinojosa told me that I already knew what had happened and that I had the knife. I told him that it was up to him to tell me what had happened if he wanted to. He then told me that their feud had started two days before. He said that they started to argue and that he thought that the victim was going to take something out of his pockets, so he took out his knife and stabbed the victim once. I told him that the victim did not have any weapons with him. Mr. Hinojosa said that he really thought that he had something. I asked Mr. Hinojosa if he would give me a written statement and he said no, that he had already told me what had happened.

I then observed that Mr. Hinojosa had some blood stains on his right hand (middle and index fingers) and what appeared to be a drop of blood on his t-shirt. I removed his t-shirt and took it as evidence. I then took some distilled water and a cotton swab and took samples of the blood on Mr. Hinojosa's right hand. I then took Mr. Hinojosa back to the cell and started to prepare the paperwork for the complaint.

On this same date, a complaint of Murder was signed against Alfredo Rivera Hinojosa before Judge Ricardo Flores. Judge Flores issued a warrant of arrest of Murder for Alfredo Hinojosa. I then took Alfredo Hinojosa out of his cell and informed Mr. Hinojosa that I was placing him under arrest for the murder of Jose David Bellosio. I took Mr. Hinojosa before Judge Flores for arraignment. Judge Flores arraigned Mr. Hinojosa on the said murder charge and set bond at \$100,000. Mr. Hinojosa was later transported to the Hidalgo County Jail in Edinburg, Texas.

25 INVESTIGATING OFFICER(S) _____

26 REPORT MADE BY

Inspector N. Vargas

DATE 11-09-86

27 CASE FILED

28 THIS CASE IS

Active

29 APPROVED BY

Yes No Cleared by arrest Unfounded Inactive Other

Mercedes Police Department**SUPPLEMENTARY REPORT**

NO. _____

Murder

NO. 86-11-038

Classification

Name of Complainant

State of Texas

Address

c/o Mercedes Police Dept.

Phone No.

565-3102

Offense

DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.:

(Investigating Officer must sign)

Page No. _____

Date November 9, 1986

On Sunday, November 9, 1986 at about 9:00 AM, Det. Sgt. L. Chacon and I went by Jovita's Place located at 217 North Illinois to measure the crime scene of the murder that happened earlier this same morning. We measured the inside of the building and took pictures. I picked up some blood samples from the floor. I also took pictures of the outside (building). The samples of blood were taken as evidence and were tagged.

On this same date at about 11:30 AM, we went by Ceballos Funeral Home located at 1023 North 23rd St. in McAllen, Texas for an autopsy. We made contact with Dr. Santos who performed the autopsy. We took pictures of the victim, Jose David Belloso, which had a stab wound in his chest. We took pictures of the victim while Dr. Santos performed the autopsy. Dr. Santos stated that the stab wound had passed thru the victim's heart. Dr. Santos gave me the blood and urine samples so we could send it to the lab.

25 INVESTIGATING OFFICER(S) _____

26 REPORT MADE BY _____

Alejandro Moreno

DATE 11-09-86

27 CASE FILED

Yes No

28 THIS CASE IS

Cleared by arrest Unfounded Active

29 APPROVED BY

Inactive Other

SUPPLEMENTARY REPORT

NO. _____

Murder
Classification

NO. 86-11-038

Name of Complainant

Address

Phone No.

State of Texas

c/o Mercedes Police Dept.

565-3102

Offense

DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.
(Investigating Officer must sign)

Page No. _____

Date November 9, 1986

On November 9, 1986, at about 9:00 AM, Det. Sgt. A. Moreno and I went to Jovita's Place located at 217 N. Illinois St. in Mercedes, Texas. At said location, I photographed the inside of Jovita's Place. Det. Sgt. A. Moreno photographed the outside of Jovita's Place (the outer part of the building). We then started to pick up blood samples from the floor next to the pool table that was located next to the front door on the right hand side as you walk in. Then the inside of Jovita's Place was measured.

On the same date at about 11:30 AM, Det. Sgt. A. Moreno and I attended the autopsy of the victim, Jose David Soto Belloso. Autopsy was performed by Dr. Santos at Ceballos Funeral Home located at 1023 North 23rd St. in McAllen, Texas. Photographs were taken by Det. Sgt. A. Moreno and myself.

While the autopsy was being performed, Dr. Santos showed us the heart with one stab wound that went right thru the heart and came out the other side. Dr. Santos said that was the cause of death. Photographs were taken.

25 INVESTIGATING OFFICER(S) _____

26 REPORT MADE BY Luis Chacon

DATE 11-09-86

27 CASE FILED

28 THIS CASE IS

Active

29 APPROVED BY

Yes No Cleared by arrest Unfounded Inactive Other

Mercedes Police Department**SUPPLEMENTARY REPORT**

NO. _____

Murder

NO. 86-11-038

Classification

Name of Complainant

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Phone No.

State of Texas

c/o Mercedes Police Dept.

565-3102

Offense

DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.:
(Investigating Officer must sign)

Page No. _____

Date November 12, 1986

On November 12, 1986, I took all evidence recovered from the Murder of Jose David Belloso and took them to the McAllen DPS Lab for comparison.

25 INVESTIGATING OFFICER(S) _____

26 REPORT MADE BY _____

Inspector N. Vargas

DATE 11-12-86

27 CASE FILED

28 THIS CASE IS

Active

29 APPROVED BY

Yes No Cleared by arrest Unfounded Inactive Other

Docket No. _____

Case No. 86-11-567

Mercedes Police Department

Arrest Record

Name Alfredo Rivera Hinojosa									Alias: FREDDY	
Address 1245 S. Georgia St. Mercedes, TX									Phone	Date: 11-09-86
Occupation Labor			Social Security No.			D.L. No. And State			Time: 10:40 AM	
Age 25	Race W	Sex M	Eyes Brn	Hair Brn	Hgt. 5'2"	Wt. 160	DOB 9-21-61	Place of Birth Bellvadier, Ill.	Marks-Tattooes numerous tattoos	
Offense MURDER								Where Committed 217 N. Illinois St. Mercedes, TX		
Where Arrested Mercedes Police Dept.								How Arrest Made 69-1241 (<input type="checkbox"/> Sight <input checked="" type="checkbox"/> Warrant <input type="checkbox"/> SPA <input type="checkbox"/> Other)		
Complainant: Inspector Narciso Vargas Jr.				Address c/o Mercedes Police Dept.					Phone 565-3102	
Witness:				Address					Phone	
Witness:				Address					Phone	
Vehicle Impounded:										
Year:	Make:	Model:	Lic.:	Where:						
Property Taken:										
By:										
Bag No.										
Property Returned:								Prisoner's Signature:		
Date: Time: by:										
Prisoner Released								Disposition		
Date: 11-09-86 Time: 2:00 PM by: A. Moreno								taken to county jail \$100,000 bond		
Synopsis: (use back if needed)										
<p>On Sunday, November 9, 1986 at about 10:20 AM, I arrested Alfredo Rivera Hinojosa on warrant #69-1241 Murder. Mr. Hinojosa was then taken before Municipal Judge Ricardo Flores who set bond at \$100,000. He was later transported to the Hidalgo County Jail in Edinburg in lieu of bond.</p>										
										Rt. Index
Arresting Officer: Inspector Narciso Vargas Jr.								Approved:		

PLEASE PRINT OR WRITE LEGIBLY: SEE DETAILED INSTRUCTIONS ON BACK OF THIS SHEET

SUBMITTING AGENCY NO.

SUBMISSION DATE

11-12-86

<input type="checkbox"/> CRIM	<input type="checkbox"/> F.A.
<input type="checkbox"/> TOX	<input type="checkbox"/> Q.D.
<input type="checkbox"/> NARC	<input type="checkbox"/> LATENT

VICTIMS NAMES (LAST NAME, FIRST NAME, MIDDLE INITIAL)	RACE	SEX	AGE
Belloso, Jose David	L	M	32

SUBMITTING OFFICIAL Narciso Vargas Jr.
PRINTED NAME Narciso Vargas Jr.
SIGNATURE <i>Narciso Vargas Jr.</i>
TITLE Inspector

AGENCY SUBMITTING Mercedes Police Dept.
STREET 323 S. Ohio St.
CITY/ZIP Mercedes, TX 78570
PHONE NUMBER (512) 565-3102

SUSPECTS NAMES (LAST NAME, FIRST NAME, MIDDLE INITIAL)	RACE	SEX	AGE
Hinojosa, Alfredo Rivera	L	M	25

SEND REPORT TO: (AGENCY) Mercedes Police Dept.
OFFICIAL Inspector N. Vargas
STREET 323 S. Ohio St.
CITY/ZIP Mercedes, Texas 78570

OFFENSE MURDER	DATE OF OFFENSE 11-09-86	COUNTY OF OFFENSE Hidalgo
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NOTE: A BRIEF SYNOPSIS OR OFFENSE REPORT ATTACHED TO THIS SUBMISSION WILL GREATLY ENHANCE OUR ABILITY TO ASSIST YOU WITH YOUR INVESTIGATION.

ITEMS OF PHYSICAL EVIDENCE SUBMITTED

ITEM NO.	DESCRIPTION	ORIGIN (WHERE FOUND)	EXAMINATION(S) REQUESTED
#1	Silver butterfly knife	vehicle of suspect	Blood and blood type
#2	Blue T-shirt size L (men)	on victim	Blood and blood type
#3	Men's blue jeans	on victim	Blood and blood type
#4	Cotton swab with blood	from suspect	Blood and blood type
#5	Cotton gauze with blood	from crime scene	Blood and blood type
#6	Test tube of blood	from victim	Blood and blood type, match with item #1
#7	Sandbaqs gray t-shirt	from suspect	Blood and blood type